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Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/801,185  
Title: *Human Antibodies That Bind Human TNF $\alpha$*   
Filed: March 7, 2001  
Inventors: Jochen G. Salfeld, *et al.*  
Our Reference No.: BBI-043CPUSCN

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Request for Correction of Filing Receipt (2 pages in duplicate);
2. Copy of Filing Receipt with correction noted thereon in red ink (4 pages);
3. Copy of Response to Request for Corrected Filing Receipt (Appendix A, 2 pages);
4. Copy of Continuation Application Transmittal Form (Appendix B, 3 pages); and
5. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

<p><b>Certificate of First Class Mailing (37 C.F.R. §1.8(a))</b> I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231 on:</p> <p>April 17, 2002 Date</p> <p><i>Elizabeth A. Hanley</i> Elizabeth A. Hanley, Esq. Reg. No. 33,505</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

*Elizabeth A. Hanley*  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

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\* Admitted in NY only  
\*\* Admitted in TX only

April 17, 2002

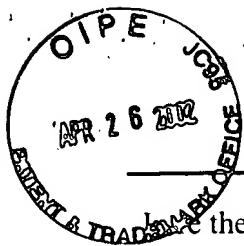
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Receipt



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of: Jochen G. Salfeld, *et al.*

Serial No.: 09/801,185

Filed: March 7, 2001

For: *HUMAN ANTIBODIES THAT BIND HUMAN TNF $\alpha$*

Attorney Docket No.: BBI-043CPUSCN

Group Art Unit: 1644

Examiner: Not Assigned

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Washington, D.C. 20231

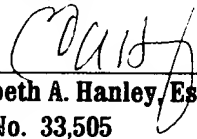
**Certificate of First Class Mailing (37 C.F.R. §1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231 on the date set forth below.

April 17, 2002

Date of Signature and of Mail Deposit

By:

  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Dear Sir:

The Filing Receipt for this patent application is missing priority data as claimed by the applicant. The priority data list reads as follows:

THIS APPLICATION IS A CON OF 09/125,098 03/16/1999  
WHICH IS A 371 OF PCT/US97/02219 02/10/1997  
WHICH CLAIMS BENEFIT OF 60/031,476 11/25/1996

The corrected priority date list should read as follows:

THIS APPLICATION IS A CON OF 09/125,098 03/16/1999  
WHICH IS A 371 OF PCT/US97/02219 02/10/1997  
WHICH CLAIMS BENEFIT OF 60/031,476 11/25/1996  
AND 08/599,226 02/09/96

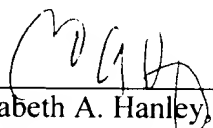
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Enclosed please find a copy of the Response to Request for Corrected Filing Receipt (Appendix A), which indicates that Applicants need to supply the relationship in an Amendment or Application Data Sheet. Further enclosed is a copy of the Continuation Application Transmittal Sheet (Appendix B), which indicates the continuity claimed by Applicants at the time of filing the above-referenced application.

Applicants respectfully request that the Filing Receipt be corrected. Applicants also enclose a copy of the Filing Receipt with the corrections noted thereon in red ink.

Please charge any fees necessary for consideration and entry of this communication to our Deposit Account No. 12-0080. *A duplicate of this communication is enclosed.*

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

  
\_\_\_\_\_  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

Dated: April 17, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/801,185	03/07/2001	1644	0.00	BBI-043CPUSCN		1	1

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

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CONFIRMATION NO. 1672

FILING RECEIPT



\*OC000000005986117\*

Date Mailed: 04/19/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Jochen G. Salfeld, North Grafton, MA;  
Deborah J. Allen, Cambridge, UNITED KINGDOM;  
Hendricus R.J.M. Hoogenboom, Maastricht, BELGIUM;  
Zehra Kaymakcalan, Westboro, MA;  
Boris Labkovsky, Framingham, MA;  
John A. Mankovich, Andover, MA;  
Brian T. McGuinness, Cambridge, UNITED KINGDOM;  
Andrew J. Roberts, Cambridge, UNITED KINGDOM;  
Paul Sakorafas, Newton, MA;  
David Schoenhaut, Garfield, NJ;  
Tristan J. Vaughan, Cambridge, UNITED KINGDOM;  
Michael White, Framingham, MA;  
Alison J. Wilton, Cambridge, UNITED KINGDOM;

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**Assignment For Published Patent Application**

BASF Aktiengesellschaft;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CON OF 09/125,098 03/16/1999  
WHICH IS A 371 OF PCT/US97/02219 02/10/1997  
WHICH CLAIMS BENEFIT OF 60/031,476 11/25/1996

AND 08/599,226 02/09/96

**Foreign Applications**

**If Required, Foreign Filing Licens** **Granted 04/16/2001**

**Projected Publication Date:** To Be Determined - pending completion of Missing Parts

**Non-Publication Request: No**

**Early Publication Request: No**

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### Title

Human antibodies that bind human TNFalpha

## Preliminary Class

435

**Data entry by : NEGASH, GHIDEI**

**Team : OIPE**

**Date: 04/19/2001**

[illegible]

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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APR 26 2002

APPENDIX A

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09801185	03/07/01	SALFELD	BBI-043CPUSCN

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109COPY OF PAPERS  
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DOCKETED

April 19, 2002  
Received  
filing

Date Mailed: 02/01/02

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Claims, Fees, Inventors and Continuity

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).
- ☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- ☐ The docket number allows a maximum of 25 characters.
- ☐ The priority or continuity will not be entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

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	FORWARDED: 3/13/04



☒ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

☐ Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**

☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

☐ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.



*L. Yemine*  
\_\_\_\_\_  
Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202

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**DIVISIONAL CONTINUATION APPLICATION TRANSMITTAL FORM**  
**UNDER RULE 1.53(b) (former Rule 1.60)**

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/125,098	PRIOR APPLICATION FILING DATE: MARCH 16, 1999
BBI-043CPUSCN	CLASS:	SUBCLASS:	EXAMINER: DAVID SAUNDERS	ART UNIT: 1644

COMMISSIONER FOR PATENTS  
 BOX PATENT APPLICATION  
 WASHINGTON, DC 20231

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**CERTIFICATION UNDER 37 CFR 1.10**

Date of Deposit: March 7, 2001

Mailing Label Number: EL 745 888 320 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Ilidio P. Cardoso

Name of Person Mailing Paper



Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation, the contents of which are expressly incorporated by reference, ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/125,098 filed on March 16, 1999, of Jochen G. Salfeld et al. entitled HUMAN ANTIBODIES THAT BIND HUMAN TNF $\alpha$ .

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:

☒ 76 page(s) of specification

☒ 8 page(s) of claims

☒ 1 page(s) of abstract

☒ 6 page(s) of unexecuted declaration and power of attorney (executed copies of declaration and power of attorney are also enclosed).

Also enclosed are: Certification Under 37 CFR 1.10, Transmittal Letter to The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371, and a Preliminary Amendment filed in the parent application.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/125,098 as originally filed on March 16, 1999.

2. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).

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- 3.
- ☒
- The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	1	MINUS	** 20	= 0
INDEP.	1	MINUS	*** 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

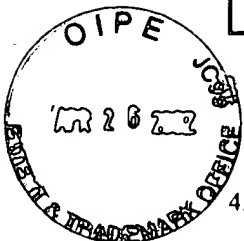
SMALL ENTITY	
RATE	FEE
x 9 =	\$0.00
x 40 =	\$0.00
+135 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$0.00

OTHER THAN A SMALL ENTITY	
RATE	FEE
x 18 =	\$0.00
x 80 =	\$0.00
+ 270 =	\$0.00
BASIC FEE	\$710.00
TOTAL	\$710.00

- 4.
- ☐
- The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this communication, or credit any overpayment, to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

THE FILING FEE IS NOT BEING PAID AT THIS TIME.

5. ☒ Cancel in this application original claims 2-73 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
7. ☒ Amend the specification by inserting a new first paragraph as follows: -- This application is a continuation application of Serial no. 09/125,098 filed on March 16, 1999, pending, which claims priority from International application Serial No. PCT/US97/02219 filed February 10, 1997, which claims priority from U.S. provisional application Serial No. 60/031,476 filed November 25, 1996 and from U.S. application Serial No. 08/599,226 filed February 9, 1996, the contents of each are expressly incorporated by reference--.
8. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
9. ☐ Transfer the drawings from the pending prior application to this application.
10. ☐ Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §119.
- ☐ The certified copy has been filed in prior application serial no. \_\_\_\_\_ filed on \_\_\_\_\_.
- ☐ The certified copy will follow.
11. ☒ The prior application is assigned of record to BASF Aktiengesellschaft.
12. ☐ A \_\_\_\_\_ month extension of time has been submitted in the parent application Serial No. \_\_\_\_\_ in order to establish compendancy with the present application.
13. ☐ Also enclosed is/are \_\_\_\_\_.



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14. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP

- a. ☒ The power appears in the original papers in the prior application.  
b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c. ☐ A new Power has been executed and is enclosed.

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15. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Elizabeth A. Hanley at Customer Number: **000959** whose address is:

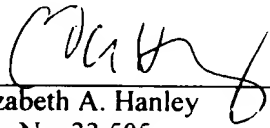
Lahive & Cockfield, LLP  
28 State Street  
Boston, Massachusetts 02109

16. ☐ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. \_\_\_\_\_.
17. ☐ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. \_\_\_\_\_. Please use the computer readable form of application serial no. \_\_\_\_\_ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. \_\_\_\_\_ are the same.

March 7, 2001

Date

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
Tel. (617) 227-7400

  
Elizabeth A. Hanley  
Reg. No. 33,505

- ☐ inventor(s) ☐ filed under §1.34(a)  
☐ assignee of complete interest  
☒ attorney or agent of record